

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

COMPANY APPLICATION No 231 of 1996

in

COMPANY PETITION No 21 of 1983

For Approval and Signature:

Hon'ble MR.JUSTICE A.R.DAVE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? No.
2. To be referred to the Reporter or not? No.
3. Whether Their Lordships wish to see the fair copy of the judgement? No.
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? No.
5. Whether it is to be circulated to the Civil Judge? No.

Shri Charanbhai Jayantibhai Inamdar.

Versus

Official Liquidator.

Appearance:

SINGHI & BUCH ASSO. for Petitioner

OFFICIAL LIQUIDATOR for Respondent No. 1

CORAM : MR.JUSTICE A.R.DAVE

Date of decision: 19/12/96

ORAL JUDGEMENT

Rule. With consent of the concerned advocates the application is finally heard today.

2. The applicant has taken out this Judge's Summons with a prayer that wages in lieu of his unavailed privilege leave be paid to him. It has been submitted on behalf of the applicant by learned Advocate Mr. Vasavada that other workmen of the Company have been paid their wages in lieu of unavailed privilege leave. The above fact has not been disputed by the Official Liquidator or by learned Advocate Mr. Desai appearing for State Bank of India.

3. It has also been prayed that the applicant be paid wages for the period commencing from November 1983 to January 1984. It has been submitted by the Official Liquidator that other similarly situated workmen have been paid only two months' wages and therefore it would be just and proper to permit the Official Liquidator to pay wages for two months to the applicant.

4. In the circumstances, the Official Liquidator is permitted to pay wages in lieu of unavailed privilege leave amounting to Rs. 6,210/- and two months' wages to the applicant. It is also directed that sum equivalent to the above referred amount be paid to State Bank of India as per the provisions of the Companies Act.

5. The Official Liquidator is permitted to encash one of the Fixed Deposit Receipts if he is not having sufficient cash or Bank balance to make the above referred payment.

6. In view of the above order, this application is finally disposed of. Rule is made absolute to the above extent.